

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Dontae Mathis,
Plaintiff,

v.

Director of Accounting NDOC,
Defendant.

Case No. 2:23-cv-00874-RFB-EJY

ORDER

Plaintiff, an inmate in the custody of High Desert State Prison, submitted a Civil Rights Complaint under 42 U.S.C. § 1983 on June 5, 2023. ECF No. 1-1. A week later Plaintiff filed inmate financial documents. ECF No. 3.

Under 28 U.S.C. § 1915(a)(2) and LSR 1-2, Plaintiff may apply for *in forma pauperis* status, which would allow him to file his civil action without prepaying the \$402 filing fee, if he submits **three** required documents to the Court including: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, on this Court's approved form (i.e. pages 1 through 3 with the inmate's two signatures on page 3), (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official (i.e. page 4 of this Court's approved form), and (3) a copy of the **inmate's prison or jail trust fund account statement for the previous six-month period**. Plaintiff has not submitted the documents to proceed *in forma pauperis* and has not paid the \$402 filing fee for a civil action.

Accordingly, IT IS HEREBY ORDERED that on or before **July 21, 2023**, Plaintiff must either pay the \$402 filing fee for a civil action or file: (1) a complete **Application to Proceed in Forma Pauperis for Inmate** on the Court's approved form; (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate's prison or jail trust fund account statement for the previous six-month period**.

IT IS FURTHER ORDERED that failure to pay the \$402 filing fee or file a complete application to proceed *in forma pauperis* on or before **July 21, 2023**, will result in a recommendation to dismiss this action **without prejudice**. A dismissal without prejudice allows Plaintiff to file his

1 case, under a new case number, when he is able to pay the required filing fee or comply with LSR
2 2-1 and file a complete application to proceed *in forma pauperis*.

3 IT IS FURTHER ORDERED that the Court will retain Plaintiff's Complaint (ECF No. 1-1)
4 but will not file it at this time.

5 IT IS FURTHER ORDERED that the Clerk of the Court must send Plaintiff the approved
6 form application to proceed *in forma pauperis* by an inmate, as well as the document entitled
7 information and instructions for filing an *in forma pauperis* application. The Clerk of the Court must
8 also send Plaintiff a courtesy copy of his financial documents (ECF No. 3).

9 DATED this 22nd day of June, 2023.

10
11 
12 ELAYNA J. YOUCHAK
13 UNITED STATES MAGISTRATE JUDGE
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28